

#39

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pete Ballos, III

Serial No: 09/386,813

Filed: August 31, 1999

Examiner: Kim, E.

Art Unit: 3721

Confirmation No.: 1826

RECEIVED
MAY 6 2002
OFFICE OF PETITIONS

For: MOVEABLE TAPE HEAD FOR BOX ERECTING MACHINE

Docket: 1162-P-DIV

Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

Adjustment date: 05/06/2002 GTEFFERA
01/07/2002 GTEFFERA 00000094 09386813
01 FC:219 -160.00 OP

Adjustment date: 05/06/2002 GTEFFERA
01/23/2002 GTEFFERA 00000012 09386813
01 FC:220 -160.00 OP

NOTIFICATION OF LOSS OF SMALL ENTITY STATUS

The Applicant in the above-identified patent application established small entity status in good faith when the application was filed. The lawyers in the law firm of Sand & Sebolt have recently learned through Applicant that portions of the stock in Applicant's corporation was acquired by large entities on June 21, 1999. The Applicant now understands that the stock ownership raises an issue about its entitlement to small entity status under the definition of a small business concern in 13 C.F.R. § 121. The Applicant thus believes that it is likely not entitled to small entity status and does not wish to jeopardize its patent applications by maintaining the small entity status.

Applicant thus notifies the Office that it has lost its entitlement to small entity status and respectfully requests that any error in claiming the small entity status be excused in accordance with 37 C.F.R. § 1.28(c). Accompanying this request for excuse are an itemization of the payments due and the deficiency payment required by 37 C.F.R. § 1.28(c)(2).

05/06/2002 GTEFFERA 00000153 09386813

Adjustment date: 05/06/2002 GTEFFERA
09/09/1999 MPEPPLES 00000035 09386813
01 FC:201 -380.00 OP

01 FC:101 740.00 OP
02 FC:103 72.00 OP
03 FC:102 84.00 OP
04 FC:119 320.00 OP
05 FC:120 320.00 OP
06 FC:116 400.00 OP

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Adjustment date: 05/06/2002 GTEFFERA
07/10/2001 MYUSUF 00000038 09386813
01 FC:216 -195.00 OP
02 FC:203 -36.00 OP
03 FC:202 -40.00 OP

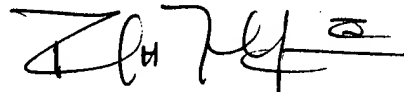
Calculation of Fee Deficiency:

	<u>Fee Paid</u>	<u>Current Fee</u>	<u>Difference</u>
Filing fee:	\$380.00	\$740.00	\$360.00
Extension of Time and Add'l Claim Fees:	\$271.00	\$556.00	\$285.00
Notice of Appeal:	\$160.00	\$320.00	\$160.00
Appeal Brief	\$160.00	\$320.00	\$160.00
		Total due:	\$965.00

The Applicant has included a check with this notification in the amount of \$965.00 for the fee deficiency. The Applicant again respectfully requests that the error in claiming small entity status be excused. If any issues remain after this submission, the undersigned attorney would welcome a telephone call.

Respectfully submitted at Canton, Ohio this 18th day of April, 2002.

SAND & SEBOLT



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